

we have heard, with profound sorrow the announcement of the death of N. A. Mitchell, the representative in this body of the 30th Senatorial District. In him the State has lost a valuable public servant, his constituents an able representation, the country a tried patriot and soldier, and we a colleague whose amiable character has endeared him to us all.

2nd *Resolved*, That to his bereaved family, in this their great affliction, we tender our heart felt sympathies; and that the Secretary of the Senate be instructed to forward to them a copy of these resolutions.

3rd *Resolved*, That in honor of the memory of the deceased, that we wear the usual badge of mourning for the balance of the session; and that we do now adjourn until 9 o'clock Monday morning next.

Monday, May 16th 1864
9 o'clock A.M.

Senate met. Prayer by the Chaplain, roll called, quorum present. The Journal of yesterday was read and adopted.

Mr. Harcourt, Chairman of the Judiciary Committee, made the following report:

Committee Room, 16 May

The Judiciary Committee has considered a bill to amend Articles 743 and 744 of the Penal Code, and a majority of the Committee direct me to report the same back to the Senate and recommend its passage. The amendment proposed is to authorize the infliction of capital punishment in cases of robbery.

It was [presented?] before the Committee that in some portions of the State, lawless bands of men were marauding over the country, and by force and violence robbing peaceable citizens of their property. That such offenders were not deterred by the fear of the Penitentiary, and the people believing that punishment was not adequate or certain, were inclined to administer summary punishment by hanging.

The amendment deserves serious consideration.

John T. Harcourt, Chairman

Also reported the following bills and recommended their passage:

A bill to amend Article 527 of the Code of Criminal Procedure—and a bill to provide for the revision of the laws.

The Committee on Engrossed Bills reported a bill to define and punish the unlawful interference with the exportation and transportation of cotton or other articles. Correctly engrossed.

Mr. Throckmorton, Chairman of Committee on Military Affairs, made the following report:

May 16, 1864

To the Honorable President of the Senate:

The Committee on Military Affairs to whom was referred that portion of the Governor's message relating to the frontier, have considered the same, and as a part of their deliberations present the accompanying joint resolutions for adoption.

From all the information obtained by the Committee, it is believed that the organization provided for the defense of the frontier by the last Legislature will be as effective as any system that can be devised—and your committee deem it of the first importance to the State that this organization should not be interfered with by the Confederate Military authorities.

J. W. Throckmorton, Chairman

On motion the rule was suspended and the resolution taken up for consideration. After some discussion it was passed informally for further action.

Mr. Guinn moved to reconsider the vote adopting the resolution calling on the Adjutant and Inspector General for certain information. Carried. The resolution was then amended by striking out "Adjutant and Inspector General" and inserting "Governor." It was then adopted.

Mr. White introduced a bill to regulate the state finances. Read 1st and 2nd times and referred to Committee on Finance.

Mr. Durant introduced a joint resolution in relation to Lieutenant General E. Kirby Smith and the Army. Read 1st and 2nd times and referred to Committee on Military Affairs.

The bill amendatory of the law relative to divorce was read 2nd time. Mr. Hartley moved to strike out "30" and

insert "60." Mr. Harcourt moved to indefinitely postpone. Carried.

The resolution relative to the Military Board being under consideration, Mr. Guinn offered a substitute. Adopted as a substitute. The resolution was then slightly amended and adopted.

A bill to punish offenses committed within this state by persons under the authority of the public enemy. Read 2nd time and made special order for tomorrow at 11 o'clock A.M.

A bill to define and punish the unlawful interference with the exportation and transportation of cotton or other articles was read 3rd time and made the special order for tomorrow 10 o'clock A.M.

A message from the House announced the passage of the following bills.

A bill to amend the 1st and 2nd sections of an act to incorporate the Rusk County Iron Company.

A bill to amend the 2nd and 3rd sections of an act to reorganize the 16th Judicial District and to define the times of holding courts therein. Read 1st and 2nd times and referred to Judiciary Committee.

A bill to allow the use of the Penitentiary for the confinement of deserters from the Army of the Confederate States duly sentenced by court martial. Read 1st and 2nd times and referred to State Affairs Committee.

A bill to incorporate Henderson Female Institute.

A bill to reorganize the 17th Judicial District and prescribe the time for holding courts therein. Read 1st and 2nd times and referred to Judiciary Committee.

A bill to amend an act to organize County Courts. Read 1st and 2nd times and referred to Judiciary Committee.

A bill making an appropriation to defray the contingent expenses of the Extra Session of the 10th Legislature. Read 1st time. Rule suspended. Read 2nd time and passed to 3rd reading. Rule suspended. Read 3rd time and passed.

A bill to incorporate the Beaver Iron Manufacturing Company.

The Senate then adjourned until 8 o'clock A.M. tomorrow.